

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

INFERNAL TECHNOLOGY, LLC and  
TERMINAL REALITY, INC.,

Plaintiffs,

v.

ACTIVISION BLIZZARD INC.,

Defendant.

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Civil Action No. 3:18-cv-1397-M

**ORDER**

The same patents and patent claims asserted in this case are also asserted in two cases before Chief Judge Rodney Gilstrap in the Eastern District of Texas. *Infernal Technology, LLC, and Terminal Reality, Inc. v. Microsoft Corp.*, 2:18-cv-144 (E.D. Tex.); *Infernal Technology, LLC, and Terminal Reality, Inc. v. Crytek GmbH*, 2:18-cv-284 (E.D. Tex.).

**IT IS ORDERED** that in the interest of judicial efficiency, and to reduce the risk of inconsistent or conflicting constructions, this Court and the Eastern District of Texas shall hold a joint *Markman* hearing to take place on **August 16, 2019, at 1:00 p.m.** Counsel should convene in Courtroom 1570, Earle Cabell Federal Building, 1100 Commerce St., Dallas, Texas.

To streamline briefing and argument in light of the joint *Markman* hearing, the Courts direct that there be a single submission from the parties in all cases as to claim construction. The Courts are open to considering a joint motion for leave to file briefs exceeding the normal page limits or other measures that would facilitate full presentation of the issues. Accordingly, by March 21, 2019, the parties are **ORDERED** to confer and notify the Courts of any such requests. All briefing and motions related to claim construction shall be filed in all cases to ensure

complete development of the record. The Courts will later set overall time limits and allocate time between the parties for the hearing.

**Don Tiller** is appointed as the Courts' technical advisor in all cases, with one half of his fees and expenses to be assessed to Plaintiff and one half of his fees and expenses to be divided amongst Defendants. All fees are to be timely paid as billed. The parties are directed to send courtesy copies, in PDF form, of claim construction briefs, exhibits, and technology tutorials, no later than one business day after their filing, to **don.tiller@dtillerlawpllc.com**.

**SO ORDERED.**

February 1, 2019.

  
BARBARA M. G. LYNN  
CHIEF JUDGE